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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,738	04/16/2004	James D. Bledsoe	MP0985(13036/26)	1360
60537	7590	05/10/2011	EXAMINER	
BRINKS HOFER GILSON & LIONE/MARVELL P.O. BOX 10395 CHICAGO, IL 60610			SARPONG, AKWASI	
ART UNIT	PAPER NUMBER			
	2625			
MAIL DATE	DELIVERY MODE			
05/10/2011	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/826,738	Applicant(s) BLEDSOE ET AL.
	Examiner AKWASI M. SARPONG	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 March 2011.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,7,8,17,19-23,27-37,43-45,47,50,51,56 and 58-65 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,7,8,17,19-23,27-37,43-45,47,50,51,56 and 58-65 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 16 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-532)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTC-413)
 Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

1. Applicant's amendment was received on 03/07/2011 and has been entered and made of record. Currently Claims 1,7,8,17,19-23,27-37,43-45,47,50,51,56 and 58-65 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1,7,8,17,19-23,27-37,43-45,47,50,51,56 and 58-65 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 7,8,17,19-23,27, 30,33-37,43-45,47,50,51,56 and 58-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zarco (20040210894) in view of Harrison (20030220734).

Claim 1, Zarco discloses a system (Fig. 3, Section 0028) comprising:
a processor (Host device 202 in Fig. 3, Section 0028, lines 1-2) and
at least one memory comprising software (Firmware 100 in Fig. 3), wherein an enabled portion of the software is configured to control the software when a print mechanism at a current printing configuration (**Section 0020, lines 4-7- thus enabled**

portion of the software reads on the minimal amount of functionality that can be preformed by the end user without any upgrades) and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations. (Section 0022, lines 8-12- thus the upgraded capabilities that is enabled by the installation of the upgraded versions of an already installed module. For example upgrading with an image formation module- please see Section 0020, lines 7-8)

_wherein the software is stored within a device that includes the print mechanism, (Fig. 5 shows clearly that firmware 100 is stored in image-formation device 200) the memory further comprising instructions executable by the processor to cause the processor **(Controller 506 in Fig. 5 controls the device 200) :**

receives a list of the one or more upgraded printing configurations from a server, **(Section 0028, lines 8-11- thus the end user selects the modules 114, 116 or 118 from the server 304)**

present the list of the one or more upgraded printing configurations to a user; **(Section 0028, lines 11-14- wherein modules 114, 116 and 118 reads on the presented list from which the user has to select from)**

receive user selection information from the user, the user selection information being indicative of at least one of the upgraded printing configurations in response to receiving the user selection information, transmit first information indicative of the user selection information to the server **(Section 0028, lines 8-14- thus upgrade modules that are selected by the end user are acquired from the server by firmware 100 and installed in the image formation device)**

receive second information from the server in response to the first information, (**Section 0028, lines 11-14 in response to the selection of the end user the firmware acquires the selected modules**) where the second information enables execution of the disabled portion of the software, (**Section 0028, lines 14-19- thus such upgrading enables the user to use the image-formation device 200 to form images**) operate the print mechanism in accordance with the at least one of the upgraded printing configurations selected by the user. (**Section 0028, lines 14-19- thus the image forming device is upgraded to form images onto media**)

Zarco does not disclose enabling at least in part, the disabled portion of the software in response to receiving the second information.

Harrison discloses wherein a user has to pay a fee for any of the high resolution data to be printed (Section 0059, lines 16-23- thus after a fee is paid, an image can be printed at a higher resolution wherein the disabled portion reads on the high resolution portion of the printer and the second information reads on the fee that is paid by the user). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the upgraded module of 114, 116 and 118 taught by Zarco to include a higher resolution so that a better quality image can be printed. The motivation is that it saves the user money since only when high resolution images are needed is when they are paid for.

Claims 2-6 (Cancelled).

Claim 7, Zarco in view of Harrison discloses wherein the instructions are executed by the processor to cause the processor to provide the first information

associated with the user selection information to the server using an external interface.
(Zarco: Section 0028, lines 1-5 and 6-8- thus the host device is used by the user to select the desired module from the server for installation)

Claim 8, Zarco in view of Harrison discloses wherein the instructions are executable by the processor to cause the processor to provide the first information associated with the user selection information to the server by providing the first information to a computer system coupled to the external interface. **(Zarco: Section 0028, lines 1-5 and 6-8- thus the host device is used by the user to select the desired module from the server for installation, wherein the selection reads on the first information and portion of the computer used by the user to make the selection reads on the interface)**

Claims 9-16. (Cancelled)

Claim 17, Zarco discloses a method for upgrading a print engine based on the execution of software stored within the device that includes the print engine, (Section 0032, lines 1-3- thus image formation mechanism 504 reads on the print engine which is upgraded to be enabled to form images onto media)

the method comprising storing within the device first software for operation of the print engine **(Section 0020, lines 4-7- thus enabled portion of the software reads on the minimal amount of functionality that can be preformed by the end user without any upgrades)**

storing, within the device, second software for operation of the print engine at an upgraded capability **(Section 0022, lines 8-12- thus the upgraded capabilities that is**

enabled by the installation of the upgraded versions of an already installed module. For example upgrading with an image formation module- please see Section 0020, lines 7-8)

receiving a list of selectable functionalities from a server, the list including one or more of the modules (**Section 0028, lines 8-11- thus the end user selects the modules 114, 116 or 118 from the server 304**)

wherein the first software and the second software are stored at the device before the list is received a second state. (**Fig. 5 shows clearly that firmware 100 is stored in image-formation device 200**)

presenting the list of selectable functionalities to a user; receiving user selection information from the user, (**Section 0028, lines 11-14- wherein modules 114, 116 and 118 reads on the presented list from which the user has to select from**)

in response to receiving the user selection information, transmitting first information indicative of the user selection information to the server; (**Section 0028, lines 11-14 in response to the selection of the end user the firmware acquires the selected modules**) and

receiving second information from the server in response to the first information, where the second information enables execution of the second, software, at least in part; (**Section 0028, lines 14-19- thus such upgrading enables the user to use the image-formation device 200 to form images**)

wherein, in response to receiving the second information, the print engine operates with one or more of the upgraded module (**Section 0028, lines 14-19- thus the image forming device is upgraded to form images onto media**)

Zarco does not clearly disclose wherein the upgraded function enables the printer to print at one or more of the increased print speed, the increased print resolution, and the increased print quality, indicative of the second state the functionality

Harrison discloses wherein a user has to pay a fee for any of the high resolution data to be printed (Section 0059, lines 16-23- thus after a fee is paid, an image can be printed at a higher resolution than the default or current low resolution for free of charge). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the upgraded module of 114, 116 and 118 taught by Zarco to include a higher resolution so that a better quality image can be printed. The motivation is that it saves the user money since only when high resolution images are needed is when they are paid for.

Claim 18, (Cancelled)

Claim 19, -Zarco in view of Harrison discloses providing an interface for the user to select one or more of the increased print speed, the increased print resolution, and the increased print quality, from the list. (Section 0028, lines 1-5 and 6-8- thus the host device is used by the user to select the desired module from the server for installation, wherein the portion of the computer used by the user to make the selection reads on the interface)

Claim 20, Zarco does not disclose further comprising providing an interface for the user to enter the payment information.

Harrison discloses comprising providing an interface for the user to enter the payment information. (**Section 0059, lines 21-23- thus the user pays for each of the functions for each individual image).** Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco to include the user pay for making the selection of which upgrade module so that uses can only pay for what they need. The motivation is that it saves the user money.

Claim 21, Zarco does not disclose further comprising providing the payment information to the server.

Harrison discloses disclose further comprising providing the payment information to the server. (**Section 0059, lines 21-23- thus the user pays for each of the functions for each individual image).** Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco to include the user pay for making the selection of which upgrade module so that uses can only pay for what they need. The motivation is that it saves the user money.

Claim 22, Zarco in view of Harrison discloses receiving second information (**Zarco: Section 0028, lines 11-14 in response to the selection of the end user the firmware acquires the selected modules)** associated with one or more of the increased print speed, the increased print resolution (**Harrison: Section 0059, lines 16-**

17 "high resolution") , and the increased print_quality from the server in response to providing the user selection information and the payment information to the server.

(Harrison: Section 0059, lines 21-23- thus the user pays a fee for a high resolution print)

Claim 23, Zarco does not disclose receiving payment information associated with the user selection information from the user.

Harrison discloses receiving payment information associated with the user selection information from the user. **(Users paying a fee and therefore obviously there is a payment information to the fee payment).** Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco to include the user pay for making the selection of which upgrade module so that uses can only pay for what they need. The motivation is that it saves the user money.

Claim 24-26. (Cancelled).

Claim 27, Zarco discloses a method for upgrading functionality for unit based on a device including a print_mechanism-comprising:

storing software in the device wherein an enabled portion of the software is configured to control the print mechanism at a current printing configuration **(Section 0020, lines 4-7- thus enabled portion of the software reads on the minimal amount of functionality that can be preformed by the end user without any upgrades)** and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations; **(Section 0022, lines 8-12- thus the upgraded**

capabilities that is enabled by the installation of the upgraded versions of an already installed module. For example upgrading with an image formation module- please see Section 0020, lines 7-8)

receiving a list of the one or more upgraded printing configurations from a server, (**Section 0028, lines 8-11- thus the end user selects the modules 114, 116 or 118 from the server 304**)

the presenting the list of the one or more upgraded printing configurations to a user (Section 0028, lines 11-14- wherein modules 114, 116 and 118 reads on the presented list from which the user has to select from)

receiving user selection information from the user, the user selection information being indicative of at least one of the upgraded printing configurations. (**Section 0028, lines 8-14- thus upgrade modules that are selected by the end user are acquired from the server by firmware 100 and installed in the image formation device**)

in response to receiving the user selection information, transmitting first information indicative of the user selection to the server; (**Section 0028, lines 11-14 in response to the selection of the end user the firmware acquires the selected modules**)

receiving from the server, second information in response to the first information, where the second information (**Section 0028, lines 14-19- thus such upgrading enables the user to use the image-formation device 200 to form images**) enables execution of the disabled portion of the software; and enable, at least in part, the disabled portion of the software in response to receiving the second information.

(Section 0028, lines 14-19- thus the image forming device is upgraded to form images onto media).

Zarco does not disclose enabling at least in part, the disabled portion of the software in response to receiving the second information.

Harrison discloses wherein a user has to pay a fee for any of the high resolution data to be printed (Section 0059, lines 16-23- thus after a fee is paid, an image can be printed at a higher resolution wherein the disabled portion reads on the high resolution portion of the printer and the second information reads on the fee that is paid by the user). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the upgraded module of 114, 116 and 118 taught by Zarco to include a higher resolution so that a better quality image can be printed. The motivation is that it saves the user money since only when high resolution images are needed is when they are paid for.

Claim 30, Zarco discloses a system (**Fig. 3, Section 0028**) comprising: a processor (**Host device 202 in Fig. 3, Section 0028, lines 1-2**) and at least one memory comprising software, (**Firmware 100 in Fig. 3**) wherein an enabled portion of the software is configured to control the functional unit at a current printing configuration (**Section 0020, lines 4-7- thus enabled portion of the software reads on the minimal amount of functionality that can be preformed by the end user without any upgrades**) and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations. (**Section 0022, lines 8-12-**

thus the upgraded capabilities that is enabled by the installation of the upgraded versions of an already installed module. For example upgrading with an image formation module- please see Section 0020, lines 7-8)

wherein the software is stored within a device that includes the functional unit, (Fig. 5 shows clearly that firmware 100 is stored in image-formation device 200 wherein device 200 reads on the functional unit). the memory further comprising instructions executable by the processor to cause the processor to:

receive a list of the one or more upgraded printing configurations from a server, (Section 0028, lines 8-11- thus the end user selects the modules 114, 116 or 118 from the server 304)

present the list of the one or more upgraded printing configurations to a user. (Section 0028, lines 11-14- wherein modules 114, 116 and 118 reads on the presented list from which the user has to select from)

receive user selection information from a user, indicative of at least one of the upgraded printing configurations the second state of, in response to receiving the user selection information, transmit first information indicative of the user selection information to the server;.(Section 0028, lines 8-14- thus upgrade modules that are selected by the end user are acquired from the server by firmware 100 and installed in the image formation device)

receive second information from the server in response to the first information, (Section 0028, lines 11-14 in response to the selection of the end user the firmware acquires the selected modules) where the second information enables

execution of the disabled portion of the software. (**Section 0028, lines 14-19- thus such upgrading enables the user to use the image-formation device 200 to form images**) operate the functional unit in accordance with the at least one of the upgraded printing configurations selected by the user. (**Section 0028, lines 14-19- thus the image forming device is upgraded to form images onto media**).

Zarco does not disclose enabling at least in part, the disabled portion of the software in response to receiving the second information.

Harrison discloses wherein a user has to pay a fee for any of the high resolution data to be printed (**Section 0059, lines 16-23- thus after a fee is paid, an image can be printed at a higher resolution wherein the disabled portion reads on the high resolution portion of the printer and the second information reads on the fee that is paid by the user**). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the upgraded module of 114, 116 and 118 taught by Zarco to include a higher resolution so that a better quality image can be printed. The motivation is that it saves the user money since only when high resolution images are needed is when they are paid for.

Claim 33, Zarco in view of Harrison discloses wherein at least one upgraded printing configurations for the print mechanism comprises a modified level of a print speed. (**Zarco: Section 0028, lines 11-14- wherein modules 114, 116 and 118 reads on the presented list from which the user has to select from**)

Claim 34, Zarco in view of Harrison discloses wherein the functionality the at least one upgraded printing configurations for the print mechanism (**Zarco: Section 0028, lines 14-19-** thus such upgrading enables the user to use the image-formation device 200 to form images) comprises a modified level of a print resolution. (Harrison: Section 0059, lines 16-17 "high resolution" hence paying for a higher resolution).

Claim 35, Zarco in view of Harrison discloses wherein the functionality the at least one upgraded printing configurations for the print mechanism comprises an upgraded level of software or an upgraded level of hardware. (**Zarco: Section 0028, lines 14-19-** thus the software in the image forming device is upgraded to form images onto media)

Claim 36, Zarco in view of Harrison discloses wherein at least one upgraded printing configurations comprises performance capabilities and renewable capabilities, (**Zarco: Section 0028 lines 14-19 wherein the performance capabilities reads on being able to use the image forming device to form a device**)

Claim 37, Zarco in view of Harrison discloses wherein the system comprises a printer with multiple hardware modules. (**Zarco: Image-formation device 200 have multiple hardware modules such as firmware 100, controller 506, connector 510 and module 504**)

Claims 38-42 (Cancelled).

Claim 43, Zarco discloses a printer with multiple hardware modules that includes method for upgrading a print software stored within the device, (**Fig. 5 shows clearly that firmware 100 is stored in image-formation device 200**) first software for operation of the print engine (**Section 0020, lines 4-7- thus enabled portion of the software reads on the minimal amount of functionality that can be preformed by the end user without any upgrades**)

storing, within the device, second software for operation of the print engine at an upgraded capability (**Section 0022, lines 8-12- thus the upgraded capabilities that is enabled by the installation of the upgraded versions of an already installed module. For example upgrading with an image formation module- please see Section 0020, lines 7-8**)

receiving a list of selectable functionalities from a server, the list including one or more of the modules (**Section 0028, lines 8-11- thus the end user selects the modules 114, 116 or 118 from the server 304**)

wherein the first software and the second software are stored at the device before the list is received a second state. (**Fig. 5 shows clearly that firmware 100 is stored in image-formation device 200**)

presenting the list of selectable functionalities to a user; receiving user selection information from the user, (**Section 0028, lines 11-14- wherein modules 114, 116 and 118 reads on the presented list from which the user has to select from**)

in response to receiving the user selection information, transmitting first information indicative of the user selection information to the server; (**Section 0028, lines 11-14 in response to the selection of the end user the firmware acquires the selected modules**) and

receiving second information from the server in response to the first information, where the second information enables execution of the second, software, at least in part; (**Section 0028, lines 14-19- thus such upgrading enables the user to use the image-formation device 200 to form images**)

wherein, in response to receiving the second information, the print engine operates with one or more of the upgraded module (**Section 0028, lines 14-19- thus the image forming device is upgraded to form images onto media**)

Zarco does not clearly disclose wherein the upgraded function enables the printer to print at one or more of the increased print speed, the increased print resolution, and the increased print quality, indicative of the second state the functionality

Harrison discloses wherein a user has to pay a fee for any of the high resolution data to be printed (**Section 0059, lines 16-23- thus after a fee is paid, an image can be printed at a higher resolution than the default or current low resolution for free of charge**). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the upgraded module of 114, 116 and 118 taught by

Zarco to include a higher resolution so that a better quality image can be printed. The motivation is that it saves the user money since only when high resolution images are needed is when they are paid for.

Claim 44, Zarco in view of Harrison discloses wherein each of the one or more upgraded printing configurations are performed by enabling at least one of the hardware modules. (**Zarco: Section 0028: thus the image formation device is enabled with the upgrade from the server**).

Claim 45, Zarco in view of Harrison discloses wherein the print engine operates within a printer with multiple hardware modules. (**Fig. 5 shows clearly that image formation mechanism 504 operates in side the image forming device 200**).

Claim 46, (Cancelled)

Claim 47, Zarco discloses a system (**Fig. 3, Section 0028**) comprising:
a processor (**Host device 202 in Fig. 3, Section 0028, lines 1-2**) and
at least one memory comprising software (**Firmware 100 in Fig. 3**), wherein an enabled portion of the software is configured to control the software when a print mechanism at a current printing configuration (**Section 0020, lines 4-7- thus enabled portion of the software reads on the minimal amount of functionality that can be preformed by the end user without any upgrades**) and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing

configurations. (**Section 0022, lines 8-12- thus the upgraded capabilities that is enabled by the installation of the upgraded versions of an already installed module. For example upgrading with an image formation module- please see Section 0020, lines 7-8)**

_wherein the software is stored within a device that includes the print mechanism, (**Fig. 5 shows clearly that firmware 100 is stored in image-formation device 200**) the memory further comprising instructions executable by the processor to cause the processor (**Controller 506 in Fig. 5 controls the device 200**) to:

receives a list of the one or more upgraded printing configurations from a server, (**Section 0028, lines 8-11- thus the end user selects the modules 114, 116 or 118 from the server 304**)

present the list of the one or more upgraded printing configurations_to a user; (**Section 0028, lines 11-14- wherein modules 114, 116 and 118 reads on the presented list from which the user has to select from**)

receive user selection information from the user, the user selection information being indicative of at least one of the upgraded printing configurations_in response to receiving the user selection information, transmit first information indicative of the user selection information to the server (**Section 0028, lines 8-14- thus upgrade modules that are selected by the end user are acquired from the server by firmware 100 and installed in the image formation device**)

receive second information from the server in response to the first information, (**Section 0028, lines 11-14 in response to the selection of the end user the**

firmware acquires the selected modules) where the second information enables execution of the disabled portion of the software, enable, at least in part, the disabled portion of the software in response to receiving the second information. (**Section 0028, lines 14-19- thus such upgrading enables the user to use the image-formation device 200 to form images**) operate the print mechanism in accordance with the at least one of the upgraded printing configurations selected by the user. (**Section 0028, lines 14-19- thus the image forming device is upgraded to form images onto media)**

Zarco does not clearly disclose wherein the upgraded function enables the printer to print at one or more of the increased print speed, the increased print resolution, and the increased print quality, indicative of the second state the functionality

Harrison discloses wherein a user has to pay a fee for any of the high resolution data to be printed (**Section 0059, lines 16-23- thus after a fee is paid, an image can be printed at a higher resolution than the default or current low resolution for free of charge**). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the upgraded module of 114, 116 and 118 taught by Zarco to include a higher resolution so that a better quality image can be printed. The motivation is that it saves the user money since only when high resolution images are needed is when they are paid for.

Claims 48-49, (Cancelled)

Claim 50, Zarco in view of Harrison discloses wherein the instructions are executable by the processor to cause the processor to provide the first information associated with the user selection information to the server using an external interface; and receive the second information in response to providing the first information to the server. (**Zarco: Section 0028, lines 1-5 and 6-8- thus the host device is used by the user to select the desired module from the server for installation, wherein the selection reads on the first information and portion of the computer used by the user to make the selection reads on the interface**)

Claim 51, Zarco in view of Harrison discloses wherein the instructions are executable by the processor to cause the processor to provide the first information associated with the user selection information to the server by providing the first information to a computer system coupled to the external interface. (**Zarco: Section 0028, lines 1-5 and 6-8- thus the host device is used by the user to select the desired module from the server for installation, wherein the selection reads on the first information and portion of the computer used by the user to make the selection reads on the interface**)

Claims 52.-55. (Cancelled)

Claim 56, Zarco discloses a method for enabling a modified capability level of a functionality for a print engine, the method comprising storing software within a device that includes the print engine, wherein in the software includes instructions to operate

the print engine at a default printing configuration (**Section 0020, lines 4-7- thus enabled portion of the software reads on the minimal amount of functionality that can be preformed by the end user without any upgrades**) and one or more upgraded printing configurations (**Section 0022, lines 8-12- thus the upgraded capabilities that is enabled by the installation of the upgraded versions of an already installed module. For example upgrading with an image formation module- please see Section 0020, lines 7-8)**

receiving a list of selectable functionalities from a server, (**Section 0028, lines 8-11- thus the end user selects the modules 114, 116 or 118 from the server 304**)
the list including printing feature upgrades,presenting the list of selectable functionalities to a user; (**Section 0028, lines 11-14- wherein modules 114, 116 and 118 reads on the presented list from which the user has to select from**)

receiving user selection information from the user, the user selection information indicative of one or more upgraded printing configurations,in response to receiving the user selection information, transmitting first information indicative of the user selection to the server (**Section 0028, lines 8-14- thus upgrade modules that are selected by the end user are acquired from the server by firmware 100 and installed in the image formation device**) receiving second information from the server in response to the first information, (**Section 0028, lines 11-14 in response to the selection of the end user the firmware acquires the selected modules**) and enabling the one or more upgraded printing configurations previously stored within the device that includes the

print engine (Section 0028, lines 14-19- thus such upgrading enables the user to use the image-formation device 200 to form images).

Zarco does not disclose that the second information further comprising payment information.

Harrison discloses wherein the second information further comprising payment information. (**Section 0059, lines 21-23- thus the user pays for each of the functions for each individual image**). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco to include the user pay for making the selection of which upgrade module so that uses can only pay for what they need. The motivation is that it saves the user money.

Claim 57. (Cancelled)

Claim 58, Zarco in view of Harrison discloses comprising providing an interface for the user to select the one or more upgraded printing configurations from the list. (**Zarco: Section 0028, lines 1-5 and 6-8- thus the host device is used by the user to select the desired module (modules 114, 116 and 118) from the server for installation**).

Claim 59, Zarco does not disclose receiving payment information associated with the user selection information from the user.

Harrison discloses receiving payment information associated with the user selection information from the user (**Section 0059, lines 21-23- thus the user pays for**

each of the functions for each individual image). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco to include the user pay for making the selection of which upgrade module so that uses can only pay for what they need. The motivation is that it saves the user money.

Claim 60, Zarco does not disclose further comprising providing the payment information to the server.

Harrison discloses disclose further comprising providing the payment information to the server. (**Section 0059, lines 21-23- thus the user pays for each of the functions for each individual image).** Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco to include the user pay for making the selection of which upgrade module so that uses can only pay for what they need. The motivation is that it saves the user money.

Claim 61, Zarco in view of Harrison discloses receiving second information associated with the second state of operation of the functionality from the server in response to providing the user selection information (**Zarco: Section 0028, lines 8-11- thus the end user selects the modules 114, 116 or 118 from the server 304**) and the payment information to the server (**Harrison: Section 0059, lines 21-23- thus the user pays for each of the functions for each individual image).**

Claim 62, Zarco does not disclose further comprising providing an interface for the user to enter the payment information.

Harrison discloses comprising providing an interface for the user to enter the payment information. (**Section 0059, lines 21-23- thus the user pays for each of the functions for each individual image.**) Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco to include the user pay for making the selection of which upgrade module so that uses can only pay for what they need. The motivation is that it saves the user money.

Claim 63, Zarco in view of Harrison discloses wherein the one or more upgraded printing configurations comprises an upgraded print speed of the print engine. (Zarco: (**Section 0022, lines 8-12- thus the upgraded capabilities that is enabled by the installation of the upgraded versions of an already installed module. For example upgrading with an image formation module- please see Section 0020, lines 7-8**)

Claim 64, Zarco in view of Harrison discloses wherein the one or more upgraded printing configurations_comprises an upgraded print resolution of the print engine. (**Harrison: Section 0059, lines 16-23- thus after a fee is paid, an image can be printed at a higher resolution than the default or current low resolution for free of charge).**

Claim 65, Zarco does not disclose further comprising providing an interface for the user to enter the payment information.

Harrison discloses comprising providing an interface for the user to enter the payment information. (**Section 0059, lines 21-23- thus the user pays for each of the functions for each individual image**). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco to include the user pay for making the selection of which upgrade module so that uses can only pay for what they need. The motivation is that it saves the user money.

66.-68. (Cancelled)

4. Claims 28,29,31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zarco 20040210894 as applied to claims 1,27 and 30 above, and further in view of Virga (5321749)

Claim 28, Zarco in view of Harrison discloses all the limitation in claim 27 as discussed above however Zarco in view of Harrison does not disclose wherein enabling the disabled portion of the software comprises enabling a facsimile capability.

Virga discloses wherein an encryption key is needed to disable a portion of the print mechanism before the fax function can take place. (Please see Col. 4 lines 58-60). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco in view of Harrison to includes

requiring an encryption key before enabling a fax function so that unauthorized user can't perform the function. The motivation is to increase security.

Claim 29, Zarco in view of Harrison does not disclose wherein enabling the disabled portion of the software comprises enabling a scanner capability.

Virga discloses wherein an encryption key is needed to disable a portion of the print mechanism before the scanning function can take place. (Please see Col. 7 lines 27-34). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco in view of Harrison to includes requiring an encryption key before enabling a scanning function so that unauthorized user can't perform the function. The motivation is to increase security.

Claim 31, Zarco in view of Harrison does not disclose wherein at least one upgraded printing configurations comprises a facsimile function.

Virga discloses wherein at least one upgraded printing configurations comprises a facsimile function.(Please see Col. 7 lines 27-34). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the modules disclosed by Zarco in view of Harrison to include a facsimile function so that a better facsimile function can be performed. The motivation is it will make sending documents easily and faster.

Claim 32, Zarco in view of Harrison discloses wherein the functionality the at least one upgraded printing configurations comprises a scanner function.

Virga discloses wherein an encryption key is needed to disable a portion of the print mechanism before the scanning function can take place. (Please see Col. 7 lines 27-34). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify the system as taught by Zarco in view of Harrison to include requiring an encryption key before enabling a scanning function so that unauthorized user can't perform the function. The motivation is to increase security.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AKWASI M. SARPONG whose telephone number is (571)270-3438. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chan Park can be reached on 571-272-7409. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/AKWASI M SARPONG/
Examiner, Art Unit 2625
/CHAN S PARK/
Acting SPE of Art Unit 2625
05/04/2011